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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. (5) 848 / 2007

PETITIONER : Smt. Dev Kumari W/o Ram Ratan aged about 26 years, Caste-Satnami Village-Pahriya, Tah & Distt. –Janjgir - Champa (C.G.)

P.R. No. 5044/07
Presented By Self Regd. Advocates
dated 12/11/07

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through The Secretary, Women Child Welfare Department. D.K.S.Bhawan, Raipur (C.G.)

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2. The Director, Women Child Welfare Department, Raipur (C.G.)

3. The Collector, Janjgir - Champa (C.G.)

4. The Project Officer, Child Development Project, Janjgir - Champa Distt. Janjgir - Champa (C.G.)

OATH COMMISSIONER Kaushik BILASPUR TAHSIL AREA

5. The Chief Executive Officer, Janpad Panchyat , Baloda Distt. Janjgir-Champa (C.G.)

6. Smt Dhanbai W/o Hrnarayan Age-25 years Village –Pahriya, Tah & Distt.- Janjgir - Champa (C.G.)

WRIT PETITION U/A 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT DIRECTION ORDER TO DO JUSTICE IN THE MATTER

(24)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (s) No. 848 of 2007

Petitioner Smt. Dev Kumari

Versus

Respondents State of Chhattisgarh & others

SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Mr. Parag Kotecha, Advocate for the petitioner.

Mr. Satish Gupta, Dy. Govt. Advocate for the respondents No. 1 to 4/State.

ORDER

(Passed on this 13th day of February, 2007)

1. By this petition, the petitioner challenges the validity of the appointment of the respondent No. 6 as Aanganwadi Karyakarta (Worker) at village Pahriya, District Janjgir-Champa on the ground that the respondent No. 6 belongs to Other Backward Class category. Her family is not living below the poverty line. The petitioner belongs to Scheduled Tribe category and her family is living below the poverty line (BPL). Therefore, the petitioner has preferential right to the appointment.

2. In view of that, without expressing any opinion on facts as well as on merit, the Collector, Janjgir-Champa is directed to look into the allegation made by the petitioner and pass appropriate order in accordance with Aanganwadi Scheme and law.

3. The writ petition is accordingly disposed of. No order as to costs.

Sd/-
Prashant Kumar Mishra
Judge